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Attorneys for Plaintiffs:
SHOGREN LIVING TRUST; PATRICK DAVIS; STEPHEN MELZ; F/V
GLADNIK, LLC; F/V MIDORI, LLC; F/V CHARLIE D., LLC; F/V DONITA,
LLC; BOB SILVA; GALE FORCE, INC.; F/V INTREPID, INC.; BRADFORD
FLOYD; DANNY MURRAY; DOMONIC DAPETTI; CHAD DALHBERG

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

CHELSEA, LLC, MARK RUSSO,
ALLEN LORETZ, IVAN SIMPSON,
individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

REGAL STONE, LTD., HANJIN
SHIPPING, CO., LTD., CONTI CAIRO
KG, NSB NEIDERELBE, SYNERGY
MARITIME, LTD. *In Personam*; M/V
COSCO BUSAN, their engines, tackle,
equipment, appurtenances, freights, and
cargo *In Rem*,

Defendants.

Case No. C-07-5800-SC

Related case 07-05926-SC

PLAINTIFF ROSE MARIE, INC.'S
DISMISSAL WITHOUT PREJUDICE

[FRCP 41(a)]

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1 **SHOGREN LIVING TRUST; PATRICK) Case No. 07 -05926-SC**
2 **DAVIS; ROSE MARIE, INC.; STEPHEN)**
3 **MELZ; F/V GLADNIK, LLC; F/V)**
4 **MIDORI, LLC; F/V CHARLIE D., LLC;)**
5 **F/V DONITA, LLC; BOB SILVA; GALE)**
6 **FORCE, INC.; F/V INTREPID, INC.;)**
7 **BRADFORD FLOYD; DANNY)**
8 **MURRAY; DOMONIC DAPETTI;)**
9 **CHAD DALHBERG;)**

10 **Plaintiffs,**

11 **v.**

12 **REGAL STONE, LTD.; HANJIN)**
13 **SHIPPING, CO., LTD.; JOHN COTA;)**
14 **M/V COSCO BUSAN, Official No.)**
15 **9231743 her engines, apparel, furniture,)**
16 **etc, *in rem*;**

17 **Defendants.**

18 _____
19 COMES NOW PLAINTIFF ROSE MARIE, INC., by and through its attorney of
20 record Cory A. Birnberg of Birnberg & Associates and does hereby dismiss its complaint,
21 filed on November 21, 2007, without prejudice, pursuant to Federal Rule of Civil
22 Procedure 41, subsection (a)(1)(A)(i). Defendants have not been served nor have they
23 responded to the complaint. This dismissal only applies to Plaintiff ROSE MARIE, INC.
24 and not the other Plaintiffs.

25 Dated: January 28, 2008

BIRNBERG & ASSOCIATES

26 By: /s/Cory Birnberg

27 Cory A. Birnberg
28 Attorney for Plaintiffs

